IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 5TH SEPTEMBER 2007 / 14TH BHADRA 1929

WA.No. 142 of 2003

AGAINST THE JUDGEMENT IN OP.20763/1999 Dated 23/09/2002
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APPELLANT: PETITIONER:

R.RAVI,
ARMED RESERVE HEAD CONSTABLE, DIST.ARMED RESERVE,
KALLEKKAD P.O., PALAKKAD, PRESENTLY WORKING AS
A.S.I. A.R.CAMP, MALAPPURAM.

BY ADV. SRI.S.GOPAKUMARAN NAIR

RESPONDENTS:
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1. STATE OF KERALA,
REPRESENTED BY ITS COMMISSIONER AND SECRETARY,
HOME DEPARTMENT, SECRETARIAT, TRIVANDRUM.

2. THE DIRECTOR GENERAL OF POLICE,
POLICE HEAD QUARTERS, TRIVANDRUM.

3. THE DEPUTY INSPECTOR GENERAL OF POLICE,
THRISSUR RANGE.

4. KUNJI MOHAMMED, A.R.A.S.I.,
DISTRICT ARMED RESERVE POLICE,
RAMAVARMAPURAM P.O., THRISSUR.

5. KAMMUNI, A.R.M.C. NO.3868,
DISTRICT ARMED RESERVE POLICE,
RAMVARMAPURAM P.O., THRISSUR.

BY ADV. SRI.S.P.ARAVINDAKSHAN PILLAY
SRI.PIRAPPANCODE V.SREEDHARAN NAIR
GOVERNMENT PLEADER SRI.K.SANDESH RAJ
SMT.N.SANTHA

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD
ON 05/09/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

K.S.RADHAKRISHNAN & A.K.BASHEER, JJ

W.A.142/2003

Dated this the 5th day of September, 2007

JUDGMENT

Radhakrishnan, J

writ petition was preferred by the appellant herein seeking a writ of certiorari to quash Exts. P2, P5 and P6 to the extent they are inconsistent with Ext.P1 judgment and Rules 28(b)(10) and 28(bb) of KS and SSR for preparation of seniority and select lists of ARHCs in Trissur Police Range and also for other consequential reliefs.

2. Petitioner joined duty in the District Armed Reserve, Palakkad on 10.2.1993. He was promoted as Head Constable on 8.4.1997 based on the seniority in the District Armed Reserve, Palakkad. Seniority of Head Constable in the Trissur Range consists of the Districts of Trissur, Malappuram and Palakkad and the petitioner who became a Head Constable in District Armed Reserve on 8.4.1997 became Junior to the respondents 4 and 5. Fourth respondent became Head Constable on 30.12.1993 and fifth respondent became on 7.5.1995. Based on the Range wise seniority, fourth respondent was promoted as Armed Reserve Assistant Sub Inspector

on 22.2.1999. Fifth respondent was promoted to that post on 11.10.1999. Petitioner was promoted as Armed Reserve Assistant Sub Inspector in the year 2003. Respondents 4 and 5 had become Head Constables earlier than the petitioner depending upon their seniority in their respective Districts. The seniority of the petitioner for the purpose of promotion to the post of Head Constable could be taken on the basis of seniority which he got at District Unit. For promotion to the post of Armed Reserve Head Constable, the District is treated as a separate unit. Petitioner therefore can be treated only as junior to respondents 4 and 5. Considering the facts and circumstances of the case we are of the view that the learned Single Judge was right in dismissing the writ petition.

Writ appeal lacks merit and is dismissed.

K.S.RADHAKRISHNAN
Judge

A.K.BASHEER
Judge

mrcs